

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

HOME- Police Dept.,--A.P. Special Police-- Manmoor Lines-- Sri. Ch. Laxminarayana, Male Nurse Orderly (Retd.)-- Permission to retire on Superannuation at the age of (60) years instead of (58) Years-- Orders --Issued.

HOME [SER.III] DEPARTMENT

G.O.Rt.No. 2225

Dated: 28.11.2012.

Read the following:--

1. G.O.Ms.No. 450, M & H. Dept., Dated 05.07.1982..
2. From the Commandant, IVth Battalion, APSP., FAX message no. 1320/ A9/ 2004--2012/ dt. 19.07.2008.
3. From the DGP., A.P. Hyd., Ir. No. 407/ME.2/2008/ dt. 05.08.2008..
4. G.O.Ms.No. 40, Home (Ser.III) Dept., Dated 22.02.2010.
5. Orders of the Hon'ble Administrative Tribunal, A.P.Hyd.,in O.A.No. 2782 of 2010, dt. 18.04.2012.
6. From the DGP., A.P. Hyd., Ir. No. 407/ME.2/2008/ dt. 12.07.2012.

In the reference 3rd read above, the Director General of Police, A.P. Hyderabad has stated that the Commandant, 4th Bn A.P. Special Police, Manmoor, lines, Warangal has reported that Sri Ch.Laxminarayana was appointed as Male Nursing Orderly on 4-8-1966 in his Unit and retired on Superannuation on attaining the age of (58) years on 31-12-2004. On 3-1-2008, Sri Ch.Laxminarayana has submitted a representation stating that as per G.O.Ms.450 M&H dated: 5-7-1982, the name of Male Nursing Orderly is clearly mentioned in category (6) of the A.P. Last Grade Service Rules 1982 and the age of Superannuation of A.P.LGS / MNO is (60) years, whereas he was retired from service on attaining the age of (58) years. i.e.31.12.2004 and therefore requested to treat the period from 1.1.2005 to 31.12. 2006 as on duty. The Director General of Police, A.P. Hyderabad has requested the Government to consider the request.

2. After careful examination, Government have observed that the post of Male Nursing Orderly was included in the A.P. Last Grade Services and hence the age of superannuation in respect of Sri Ch.Laxminarayana will be at (60) years i.e on 31-12-2006 instead of 31-12-2004 as per sub-section (1) of section 3 of the A.P.Public Employment (Regulation of Age of Superannuation) Act, 1984.

3. Accordingly, Orders were issued permitting Sri. Ch. Laxminarayana, Male Nursing Orderly to retire on Superannuation at the age of (60) years on 31.12.2006, instead of 31.12.2004, and that he shall not be entitled for any Pay and Allowances for that period of two years in view of the principle of "No Work No Pay" for the period from 01.01.2005 to 31.12.2006.

4. Aggrieved with the above Orders, Sri. Ch. Laxminarayana filed O.A. No. 2782 of 2010, and the Hon'ble Tribunal in its Orders dt. 18.04.2012, while setting aside the said Govt. Orders has made the following: "the Impugned Orders issued by the 4th respondent in G.O.Ms.No. 40, dated 22.10.2010, to the extent of treating the interregnum period from 01.01.2005 to 31.12.2006, as " no work no pay" by declaring that the applicant is not entitled for Pay and Allowances for that period and also consequential orders issued by the 1st respondent dated 19.03.2010 are illegal and arbitrary and the respondents are directed to release the Pay and Allowances of the applicant from 01.01.2005 to 31.12.2006 and thereafter regularize his pension and pensionary benefits and release the balance including increments and other consequential benefits and revise his pension and regularize the same and pay the entire arrears to the applicant within a period of 4 weeks from the date of receipt of this order."

Pto--

5. On receipt of further proposals from the Director General of Police, A.P. Hyd., vide ref. 6th read above, and after careful examination of the entire matter Government have decided to implement the Orders of Hon'ble A.P. Administrative Tribunal dt. 18.04. 2012, in O.A.No. 2782 of 2010.

6. Accordingly Government hereby permit the Director General of Police, A.P. Hyd., to allow Sri. Ch. Laxminarayana, M.N.O (Retd) to retire on Superannuation at the age of 60 years ie., on 31.12.2006 instead of 31.12. 2004.

7. The Director General of Police, A.P.Hyd., is requested to take immediate action to implement the orders of the A.P. Administrative Tribunal, dt.18.04.2012 in O.A.No.2782/2010 in releasing all the consequential benefits as per his eligibility and as per Rules.

8. This Order issues with the concurrence of the Finance (F.R.I) Dept., vide U.O.No. 28444/733/ FR.I/2012, dated 30.10.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**T.P.DAS.
PRINCIPAL SECRETARY TO GOVERNMENT.**

To,
The Director General of Police, A.P.Hyd.,
The Commandant, IV Battalion, A.P.S.P., Manmoor Lines, Warangal.
The Accountant General, AP.Hyd.,
The Govt. Pleader for Home, A.P.A.T. Hyderabad.
S.F/S.Cs.

//FORWARDED:: BY ORDER//

SECTION OFFICER.